

Application Serial No. 09/944,278

REMARKS

1. Applicant thanks the Examiner for his findings and conclusions.

2. It should be appreciated that Applicant has elected to amend Claims 1, 13, 14, 27, 53, 54, 58, and 60 solely for the purpose of expediting the patent process in a manner consistent with the PTO's Patent Business Goals, 65 Fed. Reg. 54603 (9/8/00). In making such amendments, Applicant has not and does not in any way narrow the scope of protection to which the Applicant considers the invention herein entitled. Rather, Applicant reserves Applicant's right to pursue such protection at a later point in time and merely seeks to pursue protection for the subject matter presented in this submission.

Hilton Davis / Festo Statement

Amendments herein to Claims 1, 13, 14, 27, 58 and 60 were not made for any reason related to patentability. Claims 1, 13, 14, 27, 58 and 60 were amended to clarify the invention. None of the foregoing amendments is related to the pending rejections; all amendments were made for reasons other than patentability.

3. Claims 1-3, 8-14, 18-29, 34-40, 44-52, and 57-60 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. patent no. 5,732,398 (hereinafter "Tagawa").

Claims 1 and 27

As to Claims 1 and 27, the Applicant respectfully disagrees. A business may have internal and external partners, which are distinct. Dictionary.com defines a partner as: one that is united or associated with another or others in an activity or a sphere of common interest, especially a member of a business partnership. Dictionary.com defines internal as: of, relating to, or located within the limits or surface; inner. Dictionary.com defines external as: relating

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to, existing on, or connected with the outside or an outer part; exterior. Thus, an internal partner of a business is located within the limits of the business, while an external partner is connected with the outside of the business. Applicant agrees that Tagawa teaches external partners at column 10, line 19.

5 However, applicant can find no teachings of an internal partner or a partner located within the limits of the business within Tagawa. Tagawa at column 10, line 18 teaches a regional reservation center (RRC) 100, which the Examiner asserts is an internal partner. Figure 2C of Tagawa further describes the RRC as including: communication hardware, terminals, a

10 server, an accounting system, and various inventory. Nowhere within Tagawa is a RRC described as including an internal partner. The Examiner asserts that companies providing local visitor attraction information could be internal partners with each region reservation center. Respectfully, this assertion does not find support within Tagawa. By definition, an internal partner must

15 be located within the limits of the business. An internal partner is not an RRC including communication hardware, terminals, a server, an accounting system, and various inventory. Further, Tagawa does not teach or suggest that any local company is an internal business partner. Claims 1 and 27 require a database coupled to a plurality of internal partners. Hence, not

20 every limitation of Claims 1 and 27 is taught by Tagawa. Accordingly, the rejection of Claims 1 and 27 and all claims dependent therefrom under 35 U.S.C. § 102(b) as being anticipated by Tagawa is deemed to be improper.

Applicant amends Claims 1 and 27 in order clarify the invention and still

25 further distinguish Claims 1 and 27 from the cited art by requiring the plurality of internal partners to be located within the limits of the business. The amendment finds support in the application as filed at page 2, lines 27-29 and within the definitions of the terms internal and partner provided herewith.

30 partner: one that is united or associated with another or others in an activity or a sphere of common interest, especially a member of a business partnership.

internal: of, relating to, or located within the limits or surface; inner.

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Tagawa does not teach a database coupled to a plurality of internal partners where the internal partners are located within the limits of the business. Accordingly, the rejection of Claims 1 and 27 and all claims dependent therefrom under 35 U.S.C. § 102(b) as being anticipated by Tagawa is deemed to be overcome.

Claim 13

Applicant amends Claim 13 in order to clarify that the travel information requires both static and dynamic information, that the dynamic information include local events, and the local events include a concert. Support for the amendment is found in the Application as filed at least at page 9, lines 25-26 and at page 7, lines 26-27. Tagawa does not teach dynamically updating a local event, where the event includes a concert. Accordingly, the rejection of Claim 13 and all claims dependent therefrom under 35 U.S.C. § 102(b) as being anticipated by Tagawa is deemed to be both moot due to amendments to parent Claim 1 and overcome due to the current amendment of Claim 13.

Claim 14

Applicant amends Claim 14 to remove the claim requirement of local events incorporated into intervening Claim 13.

Claims 24 and 50

As to Claims 24 and 50, the Applicant respectfully disagrees. Tagawa at column 8, lines 51-60 teaches regional reservation centers, each center having a geographical region and a database including information on travel services within this region. Tagawa provides examples at column 8, line 67 to column 9, line 9 of kiosk centers in Hawaii, Southern California, and Florida. Tagawa does not teach that the regional reservation centers overlap or that content for the regions overlap. In stark contrast, Claims 24 and 50 require a schema for organizing geographical regions, where content in the regions overlaps. Hence, Tagawa does not teach all of the limitations of Claims 24

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and 50. Accordingly, the rejection of Claims 24 and 50 and all claims dependent therefrom under 35 U.S.C. § 102(b) as being anticipated by Tagawa is deemed to be improper.

5 **Claims 26 and 52**

As to Claims 26 and 52, the Applicant respectfully disagrees. Claims 26 and 52 require the schema for organizing geographical regions, from intervening Claims 24 and 50, to comprise urban regions, from intervening Claims 25 and 51. Claims 26 and 52 further require the schema to be for nearby cities.

10 Respectfully, the cited section of Tagawa and column 9, lines 25-32 does not provide information from nearby cities. Accordingly, the rejection of Claims 26 and 52 and all claims dependent therefrom under 35 U.S.C. § 102(b) as being anticipated by Tagawa is deemed to be improper.

15 **Claim 58**

As to Claim 58, the Applicant respectfully disagrees. Claim 58 requires destinations to be presented based upon the interest request. Tagawa does not teach or suggest presenting destinations based upon interest but rather teaches presenting attractions based on destination. Tagawa at column 11, lines 1-16, which is cited by the Examiner, teaches the opposite of Claim 58. That is, Tagawa teaches local visitor attractions based upon destination. Tagawa at column 11, lines 1-2 teaches that the user is searching local visitor attractions. Since the user is searching local attractions, the user must already have selected or be present at a destination. Tagawa further clarifies that the user is searching the local destination at column 11, lines 10-11. Tagawa then goes on to teach at column 11, lines 14-16 that based upon the destination, local visitor attractions are displayed to the user. In stark contrast, Claim 58 presents to the user possible destination based upon the interest. For example, the user selects the interest of skiing, and possible skiing destinations are presented, such as Vail or the Swiss alps. Using this example, Tagawa teaches if at Vail or having selected Vail, presenting attractions to the user, one of which may be skiing, but others may be

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restaurants and state parks. Hence, Tagawa does not teach or suggest presenting destinations based upon interest but rather teaches presenting attractions based on destination. Accordingly, the rejection of Claim 58 under 35 U.S.C. § 102(b) as being anticipated by Tagawa is deemed to be improper.

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Applicant amends Claim 58 to clarify that possible destinations are presented based upon the interest.

Claim 60

10 As to Claim 60, the Applicant respectfully disagrees. Claim 60 requires possible destinations to be presented without a destination request. Tagawa does not teach or suggest presenting destinations without a destination request. Tagawa at column 11, lines 1-16 is cited by the Examiner. Tagawa teaches presenting local visitor attractions based upon destination. Tagawa
15 at column 11, lines 1-2 teaches that the user is searching local visitor attractions. Since the user is searching local attractions, the user must already have selected or be present at a destination. Tagawa further clarifies that the user is searching the local destination at column 11, lines 10-11. Tagawa then goes on to teach at column 11, lines 14-16 that based upon the
20 destination, local visitor attractions are displayed to the user. Hence, Tagawa does not teach or suggest presenting destinations without a destination request. Accordingly, the rejection of Claim 60 under 35 U.S.C. § 102(b) as being anticipated by Tagawa is deemed to be improper.

25 Applicant amends Claim 60 to clarify that the possible destinations are based upon the interest request, while still not requiring a destination request. The amendment of Claim 60 finds support in the application as filed at least in Figure 6; within Figure 2; at page 1, line 32 to page 2, line 2; and at page 6, lines 5-9. Tagawa does not teach or suggest presenting destinations without
30 a destination request. Further, Tagawa does not teach or suggest presenting destinations based upon an interest request. Accordingly, the rejection of

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Claim 60 under 35 U.S.C. § 102(b) as being anticipated by Tagawa is deemed to be overcome.

4. Claims 4, 5, 30, and 31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tagawa in view of U.S. patent no. 6,457,009 (hereinafter "Bollay").

In view of the above amendments to parent Claims 1 and 27, the current rejection of dependent Claims 4, 5, 30, and 31 under 35 U.S.C. § 103 (a) as being unpatentable over Tagawa in view of Bollay is rendered moot.

5. Claims 6, 7, 32, and 33 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tagawa in view of U.S. patent no. 6,601,059 (hereinafter "Fries").

In view of the above amendments to parent Claims 1 and 27, the current rejection of dependent Claims 6, 7, 32, and 33 under 35 U.S.C. § 103 (a) as being unpatentable over Tagawa in view of Fries is rendered moot.

6. Claims 15-17 and 41-43 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tagawa in view of www.travelocity.com.

The pending patent application was filed August 30, 2001 and has a priority date back to at least August 30, 2001. Applicant asserts that the www.travelocity.com website has been updated since August 30, 2001. A reference to a current website does not predate the filing date of the pending patent. An Examiner is required to cast his mind back to the time of the invention. If the Examiner wishes to cite the www.travelocity.com website, the Examiner is respectfully requested for a second time to provide a copy of the website prior to the filing date of the application. Accordingly, without more

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the current rejection of Claims 15-17 and 41-43 under 35 U.S.C. § 103(a) as being unpatentable over Tagawa in view of www.travelocity.com is deemed to be improper.

- 5 Further, in view of the above amendments to parent Claims 1 and 27, the current rejection of dependent Claims 15-17 and 41-43 under 35 U.S.C. § 103 (a) as being unpatentable over Tagawa in view of www.travelocity.com is rendered moot.
- 10 7. Claims 53-56 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tagawa in view "The Never-Ending Quest: Search Engine Relevance" by Greg R. Notes (hereinafter "Notes").

Claim 53

- 15 Applicant amends Claim 53 in order to clarify the claim and to distinguish Claim 53 from the cited art. First, Claim 53 is amended to clarify that the search uses at least one travel information database. Second, Claim 53 is amended to require at least one travel information database to be maintained internally. Third, Claim 53 is amended to require first querying for an interest
- 20 and only if a match is not found based upon the interest to search using a destination. This allows the user to search first for an interest without restriction to location. Tagawa does not teach or suggest querying first using an interest and then searching for a destination. Notes is to general search algorithms that also do not teach or suggest the benefits of first searching
- 25 based upon an interest. The benefit of searching first for an interest is described above. Support for the amendments is found in the Application as filed at least at page 6, lines 11-16. As amended, the rejection of Claim 53 and all Claims dependent therefrom under 35 U.S.C. § 103(a) as being unpatentable over Tagawa in view Notes is deemed to be overcome.
- 30 "Notes").

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Claim 54

In view of the above amendments to parent Claim 53, the current rejection of dependent Claim 54 under 35 U.S.C. § 103 (a) as being unpatentable over Tagawa in view of Notes is rendered moot.

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Further, Claim 54 is amended to require a text search in the event the interest search and destination search both fail to produce a result. Support for the amendment is found in the Application as filed at least in original Claim 53. Accordingly, the current rejection of dependent Claim 54 under 35 U.S.C. § 103 (a) as being unpatentable over Tagawa in view of Notes is deemed to be overcome.

8. New Claims 61-66 are added to the application. Support for new Claims 61 and 62 is found in the application as filed at least at page 12, line 18 to page 13, line 4. Support for new Claim 63 is found in the application as filed at least at page 2, lines 33-34 and at page 2, lines 7-8. Support for new Claims 64-66 is found in the application as filed at least at page 6, lines 1-16. Applicant certifies that no new matter is added to the application by way of these new claims.

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CONCLUSION

In view of the above, the Application is deemed to be in allowable condition. The Examiner is therefore earnestly requested to withdraw all outstanding rejections, allowing the Application to pass to issue as a United States Patent.

- 5 Should the Examiner have any questions regarding the application, he is respectfully urged to contact Applicant's attorney at (650) 474-8400.

Respectfully submitted,



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